

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
MEDFORD DIVISION

RAYMOND GREGORY FINCH,

Plaintiff,

v.

**COMMISSIONER OF SOCIAL
SECURITY,**

Defendant.

No. 1:16-cv-00950-YY

OPINION AND ORDER

MOSMAN, J.,

On June 23, 2017, Magistrate Judge Youlee Yim You issued her Findings and Recommendation (“F&R”) [16], recommending that the Commissioner’s decision should be AFFIRMED. Plaintiff objected [18] and Defendant Responded [19].

DISCUSSION


The magistrate judge makes only recommendations to the court, to which any party may file written objections. The court is not bound by the recommendations of the magistrate judge, but retains responsibility for making the final determination. The court is generally required to make a de novo determination regarding those portions of the report or specified findings or recommendation as to which an objection is made. 28 U.S.C. § 636(b)(1)(C). However, the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the F&R to which no objections are addressed. *See*

Thomas v. Arn, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). While the level of scrutiny with which I am required to review the F&R depends on whether or not objections have been filed, in either case, I am free to accept, reject, or modify any part of the F&R. 28 U.S.C. § 636(b)(1)(C).

Upon careful review, I agree with Judge You's recommendations and I ADOPT the F&R [16] as my own opinion. The Commissioner's decision is AFFIRMED.

IT IS SO ORDERED.

DATED this 15 day of August, 2017.


MICHAEL W. MOSMAN
Chief United States District Judge